



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JOSH WEBBER et al.,

Plaintiffs,

- against -

DAMON ANTHONY DASH et al.,

Defendants.
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19-cv-0610 (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

As discussed at the conference held on September 30, 2021, and as further ordered herein:

1. By October 4, 2021, Plaintiff will file a letter addressing whether Defendant has a right to trial by jury. By October 7, 2021, Defendant shall file a letter responding on the jury trial issue as well as the estoppel issue raised by Plaintiff in Dkt. 228. The parties should plan on trial by jury unless and until the Court determines that there is no right to trial by jury, or the parties otherwise agree to waive their right to trial by jury.

2. Trial will be scheduled for January 24-28, 2022. To the extent trial proceeds by jury (rather than as a bench trial), scheduling is subject to assignment by the Court's jury trial coordination process during pandemic conditions, which means that three trials will be scheduled to start the same day, of which this case will be one. Criminal trials are prioritized over civil trials. Accordingly, there is no guarantee that trial will go forward on the scheduled date. Nevertheless, the parties must be prepared to begin trial as scheduled and also be prepared for going forward at any alternative date set by the Court.

3. A date for final pre-trial conference, to take approximately one week before trial, will be scheduled by my Deputy Clerk in coordination with the parties.

4. By December 1, 2021, the parties shall, in compliance with my individual rules, file the requisite proposed pre-trial order, jury materials (or, bench trial filings in the event of a bench trial), and motions in limine. Opposition to motions in limine shall be filed by December 15, 2021.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: September 30, 2021
New York, New York